

a1 24. (Amended) The method of claim 21 wherein said adverse affect associated with microcompetition is osteoarthritis and said patient is being treated for osteoarthritis.

25. (Amended) The method of claim 21 wherein said adverse affect associated with microcompetition is obesity and said patient is being treated for obesity.

46. (Amended) A method of identifying compounds to be tested for treating adverse affects associated with a disruption of GABP's metabolic pathway, comprising:

- a2
- a) providing an assay capable of determining compounds that decrease foreign DNA N-boxes in cells; and
  - b) running sample compounds through said assay and identifying any compound that performs one of said functions as a compound to be tested .

## REMARKS

The Office Action of November 23, 2001 has been reviewed and its contents carefully noted. Reconsideration of this case, as amended, is requested. Claims 1 through 50 remain in this case, claims 22-25 and 46 being amended by this response.

### The Restriction Requirement

The Examiner has made a restriction requirement and has identified two groups as follows:

Group I - recited in claims 1-25.

Group II - recited in claims 26-50.

The Applicant respectfully elects Group II (claims 26-50), a method of identifying compounds to be tested for treating adverse effects associated with a disruption of GABP's metabolic pathway. The Applicant further elects species p) an agent that decreases foreign DNA N-boxes in cells. Species p) includes claims 46-50 within Group II. The requirements for restriction and election as best understood are respectfully traversed.